

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GGC INTERNATIONAL LIMITED,

Plaintiff,

v.

ROGER VER,

Defendant.

Case No. ____-cv-____ ()

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant Roger Ver (“VER”), by and through its undersigned attorneys, hereby removes the above-captioned action from the Supreme Court of the State of New York, County of New York, where it is currently pending, to the United States District Court for the Southern District of New York.¹ The grounds for removal are as follows:

I. INTRODUCTION

1. On January 21, 2023, Plaintiff GGC INTERNATIONAL LIMITED, (“GGCI”), commenced a civil action in the Supreme Court of the State of New York, County of New York, by filing a Summons with notice (EXHIBIT A) naming VER as defendant. The action is captioned GGC International Limited v. Roger Ver, Index No. 650439/2023 (the “State Court Action”).

2. According to the Affirmation of Service upon VER, which Plaintiff filed in the State Court Action on February 14, 2023 (EXHIBIT B), Plaintiff purported to serve VER via FedEx and registered mail (return receipt requested), true and correct copies of the Summons with Notice and Notice of Electronic Filing (Mandatory Case) on January 23, 2023. Plaintiff purports

¹ By removing this action from the Supreme Court of the State of New York, County of New York, VER does not waive any defenses available to him.

to have received confirmation said documents were delivered to VER on January 26, 2023.

3. The notice contained in the Summons states the action seeks the following relief: 1) a judgment awarding Plaintiff money damages for Defendant's failure to settle cryptocurrency options transactions that expired on December 30, 2022, in an amount to be determined at trial but no less than \$20,869,788; and 2) an award of Plaintiff's costs, expenses, and reasonable attorneys' fees incurred in bringing this action.

II. GROUND FOR REMOVAL

4. This Notice of Removal is filed on behalf of Defendant pursuant to 28 U.S.C. §§ 1441 and 1446. This Court has original jurisdiction over this matter under 28 U.S.C. § 1332(a) because it is a civil action between parties of diverse citizenship and the amount in controversy exceeds the sum of \$75,000.

A. Complete Diversity Exists Between the Parties

5. *Citizenship of Defendant Roger Ver.* At the time the Summons was filed in the State Court Action, and as of the date of the filing of this Notice of Removal, Defendant VER is an individual residing at 858 Zenway Blvd. Unit 15-203, Frigate Bay St. Kitts and Nevis.

6. *Citizenship of Plaintiff GGC International Limited.* VER is informed and believes that, as of the time the Summons was filed in the State Court Action and at the time of the filing of this Notice of Removal, Defendant GGCI is a company headquartered and/or with a principal place of business in either: 1) Woodbourne Hall, Road Town VG 1110, British Virgin Islands, or 2) 250 Park Avenue South, 5th Floor, New York, New York 10013, but irrespective of which constitutes jurisdiction, none would destroy complete diversity of citizenship in this case.

B. The Amount in Controversy Exceeds \$75,000

7. Without admitting the validity of Plaintiff's claim, the amount in controversy exceeds \$75,000, based on the proposed judgment amount noticed by Plaintiff in the Summons,

which is an amount to be determined at trial but **no less** than \$20,869,788 in addition to an award of Plaintiff's costs, expenses, and reasonable attorneys' fees incurred in bringing this action.

III. REMOVAL IS TIMELY AND PROCEDURALLY PROPER

8. For purposes of removal, venue is proper in this district court, pursuant to 28 U.S.C. § 1441(a), because the state court where this lawsuit has been pending is located in this district.

9. True and correct copies of all process, pleadings, and orders served on the defendant in the State Court Action are attached hereto, as required by 28 U.S.C. § 1446(a).

10. After filing this Notice of Removal, VER will promptly serve written notice of this Notice of Removal on counsel for all adverse parties and file the same with the Clerk of the Supreme Court of the State of New York, County of New York in accordance with 28 U.S.C. § 1446(d).

11. If any questions arise regarding the propriety of the removal to this court, VER requests the opportunity to present a brief and be heard at oral argument in support of removal.

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WHEREFORE, Ver removes the above-captioned action from the Supreme Court of the State of New York, County of New York, to the United States District Court for the Southern District of New York.

DATED: New York, New York
February 24, 2023

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